

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BAXTER HEALTHCARE  
CORPORATION, et al.,

Plaintiffs,

v.

FRESENIUS MEDICAL CARE  
HOLDINGS, INC.,

Defendants.

No. C 07-1359 PJH

**ORDER**

The court has reviewed defendants' offers of proof regarding the on-sale bar and indefiniteness defenses, and will permit the defenses to be tried.

**IT IS SO ORDERED.**

Dated: June 28, 2010



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PHYLLIS J. HAMILTON  
United States District Judge